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09/871,543	05/31/2001	Takurou Sone	39303-20256.00	8916

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EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 12/08/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/871,543

Applicant(s)

SONE, TAKUROU

Examiner

Dennis G Bonshock

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05-31-01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☒ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. Claims 1, 8, and 9 are objected to because of the following informalities: "tack" is used where it should state "track". Appropriate correction is required.
2. Claims 1-15 are objected to because of the following informalities: improper claim language is used, when referring to the same claimed element later in the claims it should be preceded by "said". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 3, 4, 8, 9, 11, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Yager et al., Patent #5,983,236, hereinafter Yager.

7. With regard to claim 1, which teaches a multimedia system comprising: a file storage that stores a multimedia file, Yager teaches, in column 1, line 1 and lines 45-61, a multimedia system where video data files are stored on the clients computer. With regard to claim 1, further teaching sequence tracks including: a performance sequence track (which stores audio information), a drawing sequence track (which stores picture sequence information), and a synchronization means for synchronizing the two, Yager teaches, in column 2, lines 42-55, a video clip which contains video images, still images, audio signals, and text, also further including a synchronization information to correlate the various clip components. With regard to claim 1, further teaching a sequencer that processes the multimedia file for parallel running of the sequence tracks synchronously with each other according to the synchronization information, Yager teaches, in column 2, lines 46-65, a sequencing component that processes the multimedia video clip components to run together. With regard to claim 1, further teaching a program storage that stores an application program which treats and controls the multimedia file, Yager teaches, in column 2, lines 34-37, a data storage unit for storing the audio and video data. With regard to claim 1, further teaching an executing unit that executes the application program to enable the application program to communicate with the sequencer for effecting a control of the parallel running of the sequence tracks, Yager teaches, in column 2, lines 34-65, a processor for executing the synchronous execution of the video and audio units. With regard to claim 1, further teaching the sequence

tracks including a start control and a stop control of the running of the sequence tracks, Yager teaches, in column 4, lines 11-14, play and pause controls for controlling the execution of the video clip.

8. With regard to claims 3 and 11, which teach a multimedia system wherein the file storage stores the multimedia file composed of the sequence tracks further including a master sequence track which records the synchronization information to constitute said synchronization means, Yager teaches, in column 2, lines 46-65, a single master synchronization component or individual components, which control the temporal correlation between the various video clip components.

9. With regard to claims 4 and 12, which teach the master sequence track recording the synchronization information containing control information effective to control a progression of each sequence track along a time axis, Yager teaches, in column 2, lines 46-65, a single master synchronization component or individual components, which control the temporal correlation between the various video clip components.

10. With regard to claim 8, which teaches a multimedia system, Yager teaches, in column 1, line 1 and lines 45-61, a multimedia system where video data files are stored on the client's computer. With regard to claim 8, further teaching sequence tracks including: a performance sequence track (which stores audio information), a drawing sequence track (which stores picture sequence information), and a synchronization means for synchronizing the two, Yager teaches, in column 2, lines 42-55, a video clip which contains video images, still images, audio signals, and text, also further including a synchronization information to correlate the various clip components. With regard to

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claim 8, further teaching a sequencer that processes the multimedia file for parallel running of the sequence tracks synchronously with each other according to the synchronization information, Yager teaches, in column 2, lines 46-65, a sequencing component that processes the multimedia video clip components to run together. With regard to claim 8, further teaching a program storage that stores an application program which treats and controls the multimedia file, Yager teaches, in column 2, lines 34-37, a data storage unit for storing the audio and video data. With regard to claim 8, further teaching an executing unit that executes the application program to enable the application program to communicate with the sequencer for effecting a control of the parallel running of the sequence tracks, Yager teaches, in column 2, lines 34-65, a processor for executing the synchronous execution of the video and audio units. With regard to claim 8, further teaching the sequence tracks including a start control and a stop control of the running of the sequence tracks, Yager teaches, in column 4, lines 11-14, play and pause controls for controlling the execution of the video clip.

11. With regard to claim 9, which teaches a method of playing a multimedia file by combination of a sequencer and an application program, Yager teaches, in column 2, lines 34-65, in column 4, lines 10-14, and in column 6, lines 10-17, playing a multimedia file through the use of an application program and a sequencing element. With regard to claim 9, which further teaches a multimedia system comprising: sequence tracks including: a performance sequence track (which stores audio information), a drawing sequence track (which stores picture sequence information), and a synchronization means for synchronizing the two, Yager teaches, in column 2, lines 42-55, a video clip

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which contains video images, still images, audio signals, and text, also further including a synchronization information to correlate the various clip components. With regard to claim 9, further teaching a sequencer that processes the multimedia file for parallel running of the sequence tracks synchronously with each other according to the synchronization information, Yager teaches, in column 2, lines 46-65, a sequencing component that processes the multimedia video clip components to run together. With regard to claim 9, further teaching a program storage that stores an application program which treats and controls the multimedia file, Yager teaches, in column 2, lines 34-37, a data storage unit for storing the audio and video data. With regard to claim 9, further teaching the sequence tracks including a start control and a stop control of the running of the sequence tracks, Yager teaches, in column 4, lines 11-14, play and pause controls for controlling the execution of the video clip.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yager and Chernock et al., Patent #6,314,569, hereinafter Chernock.

14. With regard to claims 2 and 10, Yager teaches, a multimedia system, comprising a video part and an audio part (see column 2, lines 42-55). Yager, however, fails to teach that an audio part that contains different parts for music data and for audio data.

Chernock teaches a video/audio presentation system similar to that of Yager, but further teaches, in column 5, line 67 through column 6, line 3, two separate tracks of audio, where there is one for music and a separate for dialogue. It would have been obvious to one of ordinary skill in the art, having the teachings of Yager and Chernock before him at the time the invention was made to modify the multimedia system of Yager to include the two distinct audio portions as did Chernock. One would have been motivated to make such a combination because this would allow modification to one track while the other could continue to play.

15. Claims 5-7 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yager and Coelho et al., Patent #5,748,196, hereinafter Coelho.

16. With regard to claims 5 and 13, Yager teaches, a multimedia system that includes a drawing sequence track (see column 2, lines 42-55) and that textural information (a display object or a sprite) is integrated into the video sequence (see column 1, lines 58-61). Yager, however, doesn't teach that the drawing sequence is constituted by a sequence of display events and durations, where a display event indicates a display object, which is drawn during the running of the drawing sequence track, the duration indicating a time interval between a pair of successive display events. Coelho teaches a audio/video sequence processing system similar to that of Yager, but further teaches, in column 2, lines 47-50, in column 5, line 62 through column 6, line 48, and column 12, lines 7-13, a movable object (sprite) which is overlaid on a fixed or relatively slow moving background, in which the graphics object (sprite) is sequenced in time. It would have been obvious to one of ordinary skill in the art, having



the teachings of Yager and Coelho before him at the time the invention was made to modify the multimedia system of Yager to have the display event containing display objects as did Coelho. One would have been motivated to make such a combination because overlaying graphics images allows for modification of one without modifying the whole display.

17. With regard to claims 6 and 14, which teach that the display event includes layout information effective to specify a position of the display object relative to a display screen in a plurality of coordinate formats according to a size of the display screen and a size of the display object. Coelho further teaches, in column 2, lines 47-50 and in column 5, line 62 through column 6, line 48, a movable object (sprite) which is overlaid on a fixed or relatively slow moving background, in which the graphics object (sprite) layout information including a specific object size and position (see column 6, lines 19-22) and the surface in which the object is laid upon contains it's own width and height (in pixels) (see column 6, lines 5-9).

18. With regard to claims 7 and 15, which teach a display event comprising a primary block containing definition information effective to define the display object, and a secondary block containing modification information effective to impart movements to the display object, the modification information being selected to impart one or more of different movements which are independent from one another and which do not interfere with one another, Coelho further teaches, in column 2, lines 47-59 and in column 6, lines 15-44, groups of object characteristics that contain location and size

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characteristics, and groups of object characteristics that contain object sequence movement data.

***Conclusion***

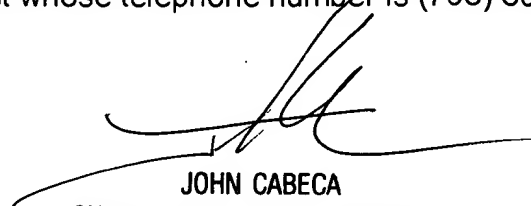
19. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach multimedia systems that handle video and audio separately and some of which teach the use of sprites.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G Bonshock whose telephone number is (703) 305-4668. The examiner can normally be reached on Monday - Friday, 8:30 a.m. - 5:00 p.m..

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

22. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

dgb

  
JOHN CABECA  
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